

## A N A N S W E R

(*To a Printed Paper dispersed by Sir John Maynard entituled The humble Petition of the Owners and Commoners of the Towne of Isleham in the County of Cambridge, and to the Exceptions thereto annexed against the Act for the dreyning of the great Level of the Fennes; ) whereby the Honour and Justice of the late Parliament is vindicated, the scandals and untruths in the said printed paper discovered, some vaine Objections answered, and the truth of the proceedings in that work of Dreyning (so much conducing to the honour and profit of this Common-wealth) held forth to all sober and uninteressed persons.*

**T**H E substance of the said Petition falling under these four Generals, *viç.* First, that parties interessed are by the said Act made Judges. Secondly, that the said Act destroyes propriety. Thirdly, that the said Act doth enact impossibilities and falsities. And lastly, that Dreyning is declared a Monopoly by the Remonstrance of the late Parliament in the year 1641 and the said Act obtained, because *there were so many Parliament men parties interessed when the said Act was passing, the Petitioners being unheard.* It is answered to the first, That this charge is uncertaine and scandalous; There being no particular person named, nor in truth could they justly name any; for amongst the Judges named by the said Act (which are above sixty in number) there is never a party interessed named a Judge (but *John Trenchard* Esquire, who was an Adventurer for one thousand Acres, and thereupon declared he was a party interessed, and refused to act as a Judge.) It is true, that all the Judges of the Courts of *Westminster* for the present, and in succession, being appointed Judges by the said Act in general words and not by name, It fell out that the Lord Chief Justice *Saint John*, who was an Adventurer for one thousand Acres onely, was then Chief Justice of the Common Pleas, and thereupon never appeared or acted in the businesse, or was present at any Session of the Commissioners appointed Judges.

To the second Charge, that the said Act destroyes propriety: It is answered, that this is a mistake; for it is. and ought to be the care of the Supreme power to provide for the good of the whole, and to compel every man so to use his owne, as it may be serviceable to the common good (yet with as little



prejudice to each particular as may be, and this hath been observed in all times upon various occasions; whereof instances are obvious: And in particular, of recovering surrounded grounds, *viz.* the Stat. of 23. *Eli.* cap. 13. for dreyning the Marshes of *Erith*, and *Plumpsted*, and a moiety given for dreyning: The Stat. 4<sup>th</sup> *Jaco.* cap. 8. for dreyning the Marshes of *Lesnes*, and *Font* in *Kent*: and a moiety given for dreyning; In both which cases they were freed from tithes for seven years as a priviledge and incouragement of their industry. And when they could not dreyn it within the time limited, the time was lengthened and more lands given, and yet these undertakers were to maintaine the work but one year, and the undertakers by this Act are to maintaine this Level for ever; By the Statute of 4<sup>th</sup> *Jaco.* cap. 13. a place called *Waltersey* in the Isle *Elie*, is appointed to be dreyned by undertakers, and two third parts given for dreyning. And the benefit redownding to the Common-Wealth by such dreyning appears in a great part by the very Statute of 43<sup>rd</sup> *Eli.* cap. 11<sup>th</sup> (mentioned by the Petitioners) *viz.* not onely great and inestimable benefit to the Supreme Magistrate, but to the people, and increase of able people: And this very Level of the Fens hath been severall times heretofore endeavoured to be dreyned by others, though in vaine; and was a work worthy of the care of a Parliament, and it is so expressed in the said Act, thereby to recover above 300000. acres of surrounded grounds for arrable Meadow, and Pasture: and not onely fit for cole-seed (though oile be no contemptible commodity to this Nation) but for wheat, and all other graine, and for hemp, and flax, which may be of great concernment to this Common-Wealth.

And if any desire to be further satisfied of the excellency of this work, let him consult *Mercators Geography* of the world, printed at *Amsterdam* in 1636. fo. 67. wherein the fame of the undertaking is taken notice of, and published to the world, though undervalued by some of this Nation who are ignorant of the concernment of this Common-Wealth therein.

And men which broach such principles, as *that Acts of Parliament* (wherein all mens consents are included) *destroy propriety*; would be carefully heeded in time; lest the consequence may tend to bring in question, not only many things well settled by Acts of Parliament for publick good in most (if not all) former Parliaments, but interrupt the great affaires of this Common-wealth, if such an unsound, destructive principle (*That a Commons right cannot be bound by an Act of Parliament,*) should be taken up by tumultuous giddy people.

To the third Charge of impossibility and falsities in the Act; It is answered by denial, that there is any impossibility or falsity in the Act; for it appears to any man that will have patience, carefully to peruse the said Act, that only the *surrounded grounds* within the said Level are to be dreyned, and



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and no other: and if any person be compelled to contribute to the dreyning, who is not bettered thereby, the Commissioners appointed Judges by the said Act, have power to give relief; And the Right Honourable the Council of State have likewise for ease of the Countrey, authorized other Commissioners, living in the said Level, and near thereunto to heare and determine the same upon the place in a short and easie way. And it is an unheard of boldnesse to charge the Parliament with falsity in matters of fact, declared by them in the Act it self, and the consequence no other, then to make Acts of Parliament lesse certain then a Chancery-Decree, and subject to re-examination, as oft as it shall please any troublesome discontented person.

To the last Charge, That this dreyning was declared a Monopoly, by the Declaration of the late Parliament in 1641. And the said Act unduly obtained, *By reason so many Parliament men became interessed therein, at the passing of the said Act*; It is answered, that the first part of the Charge is grounded upon a mistake, the said Declaration being against Improvements, taken out of Commons, by the late King, Queen, and other Lords of Mannors to the prejudice of the Commoners without Law, whereas the work of dreyning this Level, was then under the care of a Committee of Parliament, to provide for dreyning thereof, and declared to be a *great work*. And no colour of a Monopoly if the Act be perused; and the very original undertaking proceeds from the solicitation of the Countrey.

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And to the second part of this Charge, of the undue gaining of the said Act, through the interest of Parliament men: It is answered that this general Charge, without naming any particular person, is in it self a great scandal to all the Members of the late Parliament; and it is affirmed, and a certain truth, that there were but foure Members of the late Parliament, who claimed to be Adventurers, (and foure are no great number amongst some hundreds of Parliament men,) and yet those foure were excluded by Order of Parliament, to have any Vote at the debate of the businesse, and all their Adventure-Lands together, but 3050. Acres, which was of so little value and concernment to some of them, as they lost their land for not paying taxes. And of those foure also, when the said Act passed, there was but one single person of them, (namely the said Mr. *Trenchard*) who sat in the house at passing of the said Act; and surely the said Sir *John Maynard*, (who was a Member of the late Parliament, and present at most of the debates touching the said dreyning) cannot but feare some condigne punishment to overtake him, thus to traduce and scandalize the Supream Powers and Government.

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And to the last part of the Charge, that the Petitioners were not heard; It is answered, and ready to be made good to every mans satisfaction, that the Committee of the late Parli. in consideration of the said Act, before they proceeded therein, sent letters to the several Sheriffes of the Counties of Nor-



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folk, Suffolk, Lincolne, Northampton, Huntingdon and Cambridge, and also to the town of Lynne, and to the Committee of the respective Counties, and of the Isle of Elie, to give notice to the Inhabitants; and that such as desired to be heard should attend the Committee; and notice was accordingly given, and many of the Countrey came in, and were heard what they could say, and particularly the said Sir John Maynard, and these three things were chiefly in debate before the said Committee; 1. Whether the said Level were hurtfully surrounded. 2. Whether the work was feasible. And 3. Whether it were beneficial to the Common-wealth: And after Witnesses examined at the said Committee, and above forty hearings before them, (in the space of almost three years) and satisfaction given therein, and many amendments made, and provisions inserted to the advantage of the Countrey (brought in by the Council for the Countrey,) the said Act passed. And thus farre in Answer to the said paper called the Petition.

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*Here followeth an Answer to the Exceptions against the Act, printed with the said Paper.*

**F**irst, Some matters of fact suggested in those Exceptions to be contained in the said Act of Parliament, are either maliciously, or through wilful ignorance mistaken; for whereas it is suggested, that by the said Act *Thorney-Abbey* is excepted from the dreynning, and yet it is part of the said Level, and hurtfully surrounded; It is answered, that *Thorney-Abbey* is not excepted by the said Act, but contrariwise in recompence of the dreynning of the surrounded ground of *Thorney*, there are 4000 acres taken out, and adjudged to the undertakers as part of the 95000 acres appointed by the Act of Parliament for the recompence of dreynning.

Secondly, That whereas there are several exceptions grounded upon the title of the Act, & upon pretence of fallacies and equivocations in the word Level, and great Level: It is answered, that there is no force in those Exceptions, for the said Act of Parliament doth appoint no grounds to be dreyned, but the Moores, Marishes, fenny and low-surrounded grounds, within the bounds of the said Level, and though there may be a little Reed grounds part of the said surrounded Level, (not considerable, in reference to the making so many thousand Acres improveable for the Common-wealth) the same ought not to hinder so publick a work: And for such part of the said Level where sedge is only to be had, it is apparent, and every mans reason will conclude, that it cannot but be of greater concernment to the Common-wealth to improve it for Meddow-pasture or Arrable; and for Oylers and other plants of that nature they will be very much increased.

To the Exceptions of the Preamble of the said Act, which recites, that

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the said surrounded grounds have been of small and uncertain profit, but if dreyned, may be improved, and to the suggestion in the Exceptions, of the profit made before the dreyning; Its evident, that the stock of Cattel of all sorts kept by the Commoners generally in the Fens now, are more then doubled to what they were before the first undertaking of dreyning by the late Earle of *Bedford*; and many thousand Acres of the said Fennes sowne already with Wheat, Rie, Barley, Beanes, Oates, Cole-seed, Rape-feed, Hemp and Flax; the latter whereof, though by the printed Paper stiled trash and trumpery, yet to such as know the concernments of this Common-wealth, are, if not of absolute necessity, yet certainly of great and high advantage to this Nation. And the Customes at the Port of *Lynne*, for such of the said Commodities, as were thence transported for the yeare, ending in *June*, 1653. came to about 1300 li. besides what was used at home, and the advantage to the Common-wealth by setting many thousands of poor people on work.

To the Exception mentioned to be the third, touching the particular bounds of the Level, wherein the Petitioners referre to their first Exception; It is answered in the former Answer to that particular, wherby it will appear the grosse mistake of the Petitioners, as conceiving that the bounds of the said Level to be dreyned by the said Act, did comprehend all the grounds within those bounds, whereas it is only the Moores, Marishes, Fenny and low grounds within those bounds, and no other, which appears by the plain words of the said Act.

✦ To the Objection, that the consideration moving the passing the said Act was that the Earle of *Bedford* had 95000 acres decreed to him in the thirteenth year of King *Charles*, which decree was procured by bribing the King with 12000. acres and that the consent of the Lords and Commons was not had thereunto according to the Statute of the fourty third year of Queen *Elizabeth*, It is answered, First, that the Petitioners wilfully omit the first and maine consideration in reference to the now E. of *Bedford*, which was, that *Francis* late Earle of *Bedford* (a man known to be of a publick spirit) did undertake the said dreining, which undertaking was in the year 1630. (seven yeares before the said decree) and not a businesse sought by him, but a work whereinto he was drawn after two years consideration, and solicitation of many worthy persons Lords and Owners of the said Fennes, and after many attempts and former undertakings by others, which proved fruitlesse. And there were no lesse then forty seven Commissioners (all Land-owners within the said Level) who made it their suite in behalf of themselves and the Country, to undertake the same and offered him 95000 acres for recompence of the dreyning: which was as little, if not a lesse proportion of ground then any other would accept for to do the said work; and the whole businesse was



settled and agreed by a Law of Sewers at *Lyn* in *Norfolk* in the said year 1630. by forty seven Commissioners, upon their oaths and was a chief and prime motive for the said Act of Parliament. In the second place it is denied that any bribe of 12000. acres was given to the late King for the said Decree of the thirteenth year of the said late King, nor can it be apprehended that any such thing should be, in regard the said decree of the thirteenth yeare of the said King did onely set out the 95000. acres, after the work adjudged done, which by the Law of Sewers made at *Lin*, in the said year 1630. was decreed to be set out. It is true, that by the said Law of Sewers made at *Lynne*, (which was near seven years before the said dreyning,) that the late King was to have 12000. Acres, parcell of the said 95000. Acres, but for what consideration, or upon what agreement, the present undertakers are ignorant of, nor is it materiall to them, they engaging their estates in the said work of dreyning upon the strength and security of the said Act of Parliament which gave them as well the said 12000. acres, as the residue of the 95000, acres, and without which they had never engaged in the said work, or adventured any further summe of money therein. And to the last part of this Exception, it is answered, that it carries no weight in it, for that if the said work of dreyning had been pursuant to the Statute of the 43. year of *Queene Elizabeth*, it would not have needed any new Act of Parliament. And it is very clear, that as the Parliament in the 43. year of the late *Queene*, had power to make one Law for dreyning, so the late Parliament might, and all succeeding Parliaments may make other Lawes likewise for dreyning and improving lands for publike advantage. And in truth in a work of so great concernment, and vaste circuit of grounds, and wherein so many persons were concerned, as Lords and Commoners. It was almost, if not altogether impossible to know who were the major part, or to have the consent of the major part. (Sir *Iohn Maynard* acknowledging many thousand persons to be therein concerned.) And upon this ground it was necessary to obtaine the said Act of Parliament before they should further engage in the said work: and if this be a materiall exception, then the before mentioned Statutes for dreyning made in the time of *Queene Elizabeth* and *King James* are liable to the like exception, and by consequence this and all succeeding Parliaments disabled to make any Law for improving any waste or surrounded grounds to the benefit of the Common-wealth.

To the Exception, that the Earle of *Bedford* and his Participants made no progresse in the work, but only to divide the 95000 Acres by shares and lots, and that it was found by a Jury at *Huntington* 14 Car. that the said Earle and his Participants had not meliorated the Fennes; It is answered: first, that there was above 100000. li. disburied by the said late Earle of *Bedford*,  
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and Participants by advice of the best Artists that were to be gotten after his undertaking of the said work in the yeare 1630. and before the Decree, or setting out, or dividing the same, in the thirteenth yeare of the late King. And Secondly, that the proceedings at *Huntington*, in the fourteenth of the late King, urged by the Petitioners, (wherein Sir *Iohn Maynard* an old Courtier, was not a little active and busie to advance the late Kings interest) and the Decree thereupon, was undue and illegal, and in order to a project then in hand, to deprive the late Earle of *Bedford*, and all his then Participants of the said whole 95000 Acres, after all the expence of money, and to give the said whole 95000 Acres, and 57000 Acres more from the Countrey to the late King to become the Undertaker; which proceedings were condemned by the Parliament. And the Petitioners themselves in the latter part of their exceptions confesse that the Decree of Sewers at *Huntington* was illegal, and therefore null. And these very Commissioners of Sewers at *Huntington*, (though of the late Kings choice, and most of his servants) were so much convinced of the right of the said late Earle of *Bedford* and his participants, that in their Decree they did acknowledg that divers great Sluces, Rivers, Dreins, Cuts, and other works, had been made and erected by the said Earle and his Participants, at his and their great charges within the said Level, which did much conduce to the dreyning of some part of the said Level, and which would be of good use, to the further dreyning, imbanking and recovering of the said Fennes, and that the said late Earle and his then Participants, were worthy of 40000. Acres for their recompence, in regard of their charge then expended: And if it be considered, how that those unrighteous Commissioners adjudged 40000 Acres, was but a moderate recompence for above 100000 li. then expended; and that all the addition of recompence by the late Act, is but 55000 Acres more, for which the present Undertakers have expended above 200000 li. since the said Act; It will appear that the now Undertakers are great sufferers and losers by the said undertaking, and those who maligne the undertaking, would be loth to reimburse the money expended with damages, and take the land dreyned now all the hazard is past, subject to the charge of future maintaining the works.

To the Pretence, that there was no interruption to the work but feares that the undertaking was declared against in the beginning of the late Parliament in *December* 1641 The same is formerly answered, that Declaration being against Improvements by the late King, Queen, and Lords of Wastes without Law, and not concerning this dreyning, which was then under consideration of a Committee of Parliament; but their feares were, that some tumultuous and busie narrow-hearted men (who favour nothing of publick concernment, which is crosse to their private humour,) might give interrup-



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tion to the work, if not settled by Act of Parliament, and thereupon did resolve not to engage their Estates further in it, but by the Authority and countenance of Parliament.

To the exception, which saves to the Undertakers breaches by inevitable accidents, which are in convenient time to be repaired and made good; It is answered; That in reason no further provision can be made for the Countrey in that particular, then is by the said Act, in regard provision is made for the dreining and imbanking, and making the same Winter-ground in such manner as the rivers which did overflow the same or any of them should not overflow the grounds within the said Level: which thing is already done, and works made which have not onely been adjudged to be sufficient; but have by experience proved so, and their own concernment, as to their 95000. acres is a sufficient obligation upon them to preserve the same: But if by some inevitable passage of providence, any extraordinary flood or storme should come, or any water coming through any quick-sand under a bank) not by humane reason, charge, or industry, to be foreseen, or prevented) any work should faile, and that they repaire it in convenient time, the late Parliament did, and all reasonable men will conceive that they have performed their undertaking, and without that provision, no rational man would have ingaged in the said work.

To the Exception, that there is a liberty of leaving 15000 acres for beds & receptacles for waters, whereby the drowned land of *Thorney* and *Whittlesey* might be dreyned, and dry land drowned. It is answered: First, that there was a necessity for such a provision, and 15000. Acres was but a small proportion to be allotted in so great a Level as above 300000 acres. But secondly, that this exception appears to be vaine and malicious, the Petitioners not so much as affirming (now the work is done) that there hath been any such fraudulent and indirect use made of that provision; and as it is a vaine pretence that beds and receptacles for waters should be made upon dry lands (which is the higher ground) so it would have been very imprudent in the undertakers to drowne dry ground, in regard the said Act gives relief to any that by dreyning in one part, should be drowned in another.

To that exception in the Act, that the ordinary course of Commissioners as to this Level is altered; It is answered: First, that there are above 50 Commissioners of Sewers appointed by name in the said Act for the said Levell, besides the Judges of the Courts at *Westminster* for the time being, all named by the late Parliament, and such as by the view of their names will appear to be persons of great worth and understanding. And secondly, by the said Act the Commissioners for the Great Seale (who appointed Commissioners of Sewers upon all Commissions) have power to nominate others in their roomes. And lastly, there was great necessity to take care in this particular



cular, for whereas upon other Commissioners of Sewers all the Lands within the danger of surrounding, are liable to contribute to the charge of maintaining the works by this Act the 95000. Acres designed to the undertakers, are onely made liable to the charge and the maintaining the work, and the residue of the Level being above 200000. Acres freed from it, so that the Land-owners within the said Levell, who were, not to be contributory to the charge, were justly excluded from being Commissioners of Sewers.

To that Exception which suggests that upon the Petitioners complaint to the Committee named in the said Act, *Iuly 6. 1653.* they found no redress; and to that other Exception which suggests that in the adjudication no care was taken to provide that Lands which should receive no benefit by the dreynning, might not be made contributory: and to another Exception, that the said Commissioners adjudged the grounds dreyned without hearing the Petitioners; it is answered; first, that the Commissioners appointed by the said Act sitting in the *Temple Hall* the said sixth of *Iuly 1653.* upon complaint made by *Sir Iohn Maynard* in the name of himself and other Inhabitants of *Isleham*, did give him a full hearing, and did offer him, that if he would make it appear that there were any ground unequally and unduly taken out of *Isleham*, they would give relief; or if he could not prove it there, and could prove it in the Countrey, they would award a Commission into the Countrey to indifferent Commissioners there to examine the same, but the said *Sir Iohn Maynard* then and there declared that he would Petition the Parliament; so that this part of the suggestion is altogether untrue and scandalous: and for the care taken in the Adjudication; It is answered and ready to be proved, that the Commissioners appointed by the said Act, for adjudging the same, after they had received sufficient information, that one part of the said Level was dreyned according to the said Act, would not proceed to adjudge the same, until they had sent out Summons to all the parishes in that part of the Level, concerned, to give notice of their intended Sessions, and then after made a personal view, and after that had Oath made of due notice of their summons, and then heard all Complaints, and did receive all their Witnesses on all parts, and did upon all Complaints which they found just, give relief according to the said Act, and did observe the same course upon their latter adjudication of the residue of the said Level, and notice of the said Commissioners Session was timely given, and the Commissioners did at their several Sessions make several Orders, for relief in all cases, where they found the Complaints just; And that this suggestion may appear to bear no colour of truth; It will appear by the order made upon the last adjudication at *Elie*, upon a Petition then exhibited in the name of the Inhabitants of *Isleham*, who suggested, that too great a proportion was taken out of their Commons, that the Commissioners did then, by the consents

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of the then Petitioners, and of the Undertakers, referre the examination of the truth of the fact, to Commissioners named by the then Petitioners and Undertakers, and a day was appointed for hearing Witnesses on both sides; but the then Petitioners, finding that they were not able to make good the truth of their Petition, did wave any further proceedings upon their Petition.

To the Exception, which gives power to the Commissioners to make lands improved, though not within the said Level, to be contributory to the Undertakers; It is answered, that the reading of that clause in the said Act will satisfie any uninteressed person: for whereas it was pretended that in the setting out of the 95000 Acres, some were drawn to contribute to the same. and receive no benefit by the dreyning, and others would receive benefit by the said dreyning, who did not contribute thereunto; the Act doth provide to relieve the former, and also that such Lands as shall be better in quality or condition, by reason of the said dreyning, or be thereby secured from overflowing, and inundations shall contribute proportionable to the benefit which the Owners, and occupiers of such Lands, shall receive thereby as may appear by the words of the said Act which no reasonable man can oppose; and yet the undertakers hitherto have made no benefit of that clause in the said Act: whereby the troublesome disposition of such as prosecute the said Petition and complaint, may appear by this causelesse exception.

The Exception to the said Act for repealing the two Laws of sewers, *viz.* 19. *Fac. et.* 14. *Car.* because they were illegal, and therefore in themselves null, is vain and frivolous; for if it be admitted that they were illegal and null (whereof many learned men did doubt) it is far from a fault to declare them so by an Act of Parliament.

For the Exception to the Commissioners named in the said Act in regard, as is suggested, that some of them cannot Act, many have not acted, and some who have acted, have put the Petitioners out of possession of 930. acres of their Fennes (unheard) whose names they know not: charged those Commissioners to have adjudged Lands dreyned, which were never drowned, and those hurtfully surrounded which were bettered by overflowing, and therefore conceive they have just cause to except against the said Commissioners; There is no force in the first part of the Objection, and if it were material, yet unlesse it were specified which of the said Commissioners cannot act, or which have not acted; it is not possible to answer to it. But to the other scandalous part of that exception it is answered. First, that the names of the Commissioners who made the several Adjudications appear upon record, and their names with the Judgements are enrolled in *Chancery*; and if the Petitioners have cause of complaint against them, it were but just they should be heard to make their defence. Secondly, that the suggestion



gestion that the Judgement was without hearing, hath no truth in it, as may appear by what is formerly said. Thirdly, that the said Commissioners have given no such Judgement, as is untruly suggested but they have proceeded justly according to the said Act, and the Level being dreyned, have so adjudged it, and set out the 95000. acres as the said Act requires, whereof 930. acres parcel of 3125. acres of *Isleham* Fennes are part, but they did withal at the same Adjudication, according to the said Act, upon complaint of the inhabitants of *Isleham*, referre to Commissioners by consent, to examine whether a greater proportion were taken, then by the said Act was intended, and surely such as are in authority will be sensible of the honour of the Commissioners appointed by the said Act, who were all named by the Parliament, and have no benefit, but much trouble by that service. And for the Petitioners surmise, that some should be disabled to Act, (not naming any,) if that should be true, yet there being above fifty in all, and of great Honour and integrity, there would be no cause of any more Commissioners: Howbeit, to prevent all colour of complaint therein. It hath pleased his Excellency the Lord General and Council of State to name twenty four other Commissioners dwelling in and neere the said Level to heare and determine any complaint according to the said Act so as it may appeare that such as prosecute this Petition are of a restless spirit.

For that Exception of depriving the Petitioners of the benefit of Commissions of sewers according to the Statute of the twenty third yeare of *Henry* the eighth, and that the scouring of the old dreynes would leave very little land in the said Level, hurtfully surrounded: And that there is a sufficient provision for dreyning made by the Stat. of the fourty third yeare of *Q. Elizabeth*, most part of this is formerly answered, yet finding these exceptions made double in their Petition and exceptions as if some great weight lay in them. It is further answered. First, that the evidence of the thing is undeniable proof, that the scouring the old dreynes would not recover the said Level from surrounding which had lien hundreds of years, hurtfully surrounded; and the maine question in the late Parliament was, Whether the work were any way feazible. Secondly, that the said Act of Parliament exempts the country from charge of maintaining the work which lay upon them by the ordinary Commission of sewers upon the Statute of the twentythird year of *H. 8.*

And lastly, it was almost, if not altogether impossible to know the certain number of all persons concerned in the said Level, whereby to have gotten the major part of their hands and seals to our Indenture according to the Statute of the 43. *EliZ.* and yet admitting it had been possible, it is no argument for the Petitioners to complain of a Parliament, for making a subsequent Act of Parliament for publike good.

For the general Charge in the Exception, mentioning, First, that the



said Act is without the Petitioners consent. Secondly, against it. 3. Unreasonable. And fourthly unnecessary; the two first of these suggestions are not, nor ought to be of weight against an Act of Parliament, wherein the consent of the whole Nation is involved, and such pretences tend to the subversion of the Government of the Common-wealth, for if Lawes may not be made without particular consents of private persons, there is no hope that ever any Law shall be made for publike good, (the generality of men being for the most part covetous, and self-seekers; minding their own private before the publick concernments,) and if it rested in their will, would never part with any of their private Estates for publike uses, nor suffer any thing they enjoy to be employed for publike services, which all Parliaments prefer before any private concernment whatsoever. And to the pretence of the unreasonablenesse of the said Act being a general Exception; abundantly answered by denying it, and by referring to the Act it selfe, and to the clear Answers formerly given to every particular Exception, wherein any pretence of unreasonablenesse is surmized, and whether the work was unnecessary or not, (besides the Authority and Judgement of the late Parliament, which doth and ought to answer and silence that pretence,) let all reasonable and uninteressed persons judge, whether it were not a work necessary for the Parliament to redeem and recover above 300000 Acres of surrounded grounds within this Island, and make them good Arable land, Meddow and Pasture, by improvement whereof this Commonwealth may not only be supplied with cordage, linnen and other necessaries, but many hundred thousand pounds raised yearly within this Commonwealth, by Corne, Oyle, Hemp, Flax, and other Commodities, thousands of poor set on work, and the rage and violence of the waters, which threatned ruine and destruction to many adjacent parts, be stopped and prevented.

*The length of this Answer, is necessarily occasioned, by the many untrue and groundless surmises in the Petition and Exceptions, and to manifest the integrity of the Undertakers, and justice of proceedings, through all this chargeable and hazardous work; Originally undertaken by Francis late Earle of Bedford, at the Countries solicitation for publick good: That the profit was not considerable to the charge and hazard, nor will it yet answer the vast summs of money expended by the said Undertakers, and some of them being ruined in their Estates by reason thereof. Most of the present Undertakers became engaged in the perfecting the said work, upon the Authority and Credit of the said Act of Parliament, and have expended near 300000 li. upon that security; and the charges for repairs yearly are estimated to be 10000 li. the works for the dreyning, are such as are not elsewhere to be seen in England, scarce in the Christian world, worthy the care and countenance of a Parliament, the Act it self just, honourable and necessary, and sufficient provision thereby for just complaints, and only the Undertakers therein, the great sufferers and losers, and will appear guilty of another fault, saving indiscretion to hazard their Estates for the good of the publick.*



And whereas Sir *John Maynard* hath been pleased to commend *Reede* and *Sedge* to the Common-wealth, as rich Commodities to be taken care of, and hath stiled those, produced by the labour and cost of the Undertakers, upon the improvement to be *trash* and *trumpery*; yet such as they are, and the advantages this yeare arising by them, out of a small part of the *Fennes* coming lately to hand, is hereby offered to the consideration of prudent persons. There was 28000 Acres of the aforesaid *Fenn-ground*, sown with *Cole-seed*, *Wheat*, *Barley*, *Oates* and *Flax*.

1. Every Acre for Hassocking, burning the Hassocks, Plow-  
ing, burning the Sward, and sowing with Cole-seed, cost } li. sh. d.  
one pound, which came into the hands of such as would work, } 28000. 00. 00  
whether poor or rich.
2. Every Acre of Seed, Wheat, Barley or Oates that were sown, }  
being near 10000 Acres cost in Seed, 8<sup>s</sup>. per Acre, which } 4000. 00. 00  
came to the hands of the Countrey.
3. The small division Dykes, since the Adjudication, came clear } 3000. 00. 00  
to the poor Labourers.
4. Expended for Timber, Carpenters, Bricklayers, and other La- }  
bourers, in building houses above. } 10000. 00. 00
5. The reaping, threshing and carriage of Cole-seed, to be fit for }  
the Boats, to poor Labourers, at 3 li. per Last. } 25000. 00. 00
6. The reaping, threshing and carriage of Wheat, Rie, Oates, Bar- }  
ley and Flax to Labourers. } 5000. 00. 00  
Last
7. The carriage of farre above 5000 of Cole-seed, and above }  
1000 of Wheat and other Commodities, to the Watermen of } 2700. 00. 00  
Lyn and Wisbeach.
8. The transportation by water, of Materials for houses, to Water- }  
men and other works. } 300. 00. 00
9. The chambering of 3000. Last at the least in Lyn, and there- }  
abouts at 4<sup>d</sup>. the Last per week for 13. weeks. } 650. 00. 00
10. At Lyn to Mceters and Porters at 12<sup>d</sup>. per Last. } 150. 00. 00
11. 100 Last of Seed, Wheat and other graine to London, and }  
other parts by shipping. } 10000. 00. 00
12. There is this present year, in order for the next yeare, expend }  
ed to Workmen and Labourers in hassocking, plaining, burning, } 30000. 00. 00  
sowing, and of Cropps.



(1)

13. The State in Custome, Excise and Impost, for Cole-seed, Oyle } 5000. 00. 00  
and othe, wise.

By which, besides the great charge of dreyning, this yeare it  
appears there is expended

To the Labourers, Workmen and others.	95000 li.--00--00
In Lyn, Chambers, Porters and Watermen.	3600---00---00
The shipping.	10000---00---00
The State.	5000---00---00

These are the Advantages which have accrued to the State, the Countrey,  
and the <sup>poore</sup> ~~poore~~ this yeare by a small quantitie, of about 28000 Acres, beside  
the intrinsecal value of the Commodities themselves produced by this Charge  
to the Common-wealth not here set down. — 113600 li.--00 s.--00 d.

And if above 100000 li. advantage ariseth by so small a quantity, under so  
many discouragements, a good Common-wealths-man will easily judge,  
what annual profit and benefit will redound to this Nation, by the im-  
provement of the whale.

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